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The Food and Drug Administration

of the

United States Department of Agriculture

Enforcement of

FOOD AND DRUGS ACT
TEA ACT
IMPORT MILK ACT
INSECTICIDE ACT
CAUSTIC POISON ACT
NAVAL STORES ACT

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THE FOOD AND DRUG ADMINISTRATION

The Food and Drug Administration, organized on July 1, 1927, was created by Congress, upon the recommendation of the Secretary of Agriculture, for the specific purpose of administering a group of acts enforced by the Department of Agriculture that are designed primarily to promote purity and truthful labeling in certain commodities essential to the public health and to the economic welfare of the Nation. It took over from other administrative units of the Department the organizations and personnel previously engaged in enforcing the most important of these statutes. These acts require for their enforcement the services of men trained in administration, chemistry, bacteriology, pharmacology, toxicology, medicine, entomology, plant and animal pathology, and sanitary science, not only to apply the general principles and established facts already developed by these sciences, but also to ascertain by scientific technic the essential facts to guide administrative action in specific cases. Both the form of the organization and the policy that guides its activities are designed to promote intensified regulatory operations to bring to consumers the maximum protection provided by the acts of Congress with the minimum disturbance to legitimate commerce.

REGULATORY ACTS ENFORCED

The six acts administered by the Food and Drug Administration are based on that provision of the Constitution which gives the Federal Government the power to regulate interstate and foreign commerce. The Food and Drugs

Act prohibits commerce in adulterated or misbranded manufactured or natural foods, beverages, stock foods, remedies, drugs, and medicines. The aim of the Insecticide Act is to protect farmers, fruit growers, market gardeners, stock and poultry raisers, householders, and others from buying and using insecticides and fungicides that fall below the strength claimed for them, that will not accomplish the results promised, or that are injurious to plants. The Import Milk Act prohibits the entry into the United States of milk and cream that have not been produced under prescribed sanitary conditions, from healthy herds, or that do not meet certain specified standards at the time of entry. The Tea Act provides for the examination of all tea offered for entry into the United States and the admission of only such tea as meets the standards of quality, purity, and fitness for consumption set by the Government. The Caustic Poison Act, by requiring certain labeling, is aimed to safeguard the household against accidental injury from ammonia, lye, carbolic acid, and other dangerous substances commonly used in the home. The Naval Stores Act establishes standard grades for rosin and turpentine, authorizes the department to examine, analyze, and classify or grade them upon the request and at the expense of interested parties, and is designed to prevent deception in transactions in these commodities.

PLAN OF ORGANIZATION

The personnel of approximately 695 includes administrative officers, chemists, bacteriologists, physicians, veterinarians, entomologists, plant pathologists, microscopists, pharmacologists, inspectors, and other specialists, with the necessary complement of clerks and helpers.

Branch stations manned by specialists are maintained in 16 of the leading commercial cities of the United States to supervise interstate and foreign commerce in foods, drugs, insecticides, fungicides, naval stores, and caustic poisons. Each station is responsible for seeing that the six acts enforced by the Administration are complied

with by the manufacturers, dealers, and importers who trade within a specified territory tributary to the city in which the station is located. The station territories, covering the entire United States, are organized into an eastern, a central, and a western district, with headquarters respectively at New York, Chicago, and San Francisco. A responsible administrative officer directs the work of each district (fig. 1).

The Washington staff, consisting of approximately 224, is organized into executive supervisory offices and technical control laboratories to administer the various acts, to recommend methods for attacking regulatory problems, to conduct necessary investigations, and to solve the more difficult technological problems. At the head of the organization are the Chief and Assistant Chief, who direct and coordinate the work in Washington and throughout the entire country.

ENFORCEMENT OF LAWS RELATING TO DOMESTIC PRODUCTS

The plan of operation developed for the enforcement of the Food and Drugs Act is now applied in the enforcement of the Insecticide Act, the Naval Stores Act, and the Caustic Poison Act, with only such slight modifications as are made necessary by variations in the text of the acts or differing conditions in the industries.

Food and Drugs Act

The volume and value of the food and drug products that enter interstate commerce and that are imported into this country are enormous. To supervise this traffic effectively with a limited force it is essential that a systematic plan of operation be adopted. Accordingly a project system has been put into effect. The various types of food and drug products coming within the scope of the act are divided into classes or projects, such as canned goods, cereal products, fruit and fruit products, cattle foods, proprietary medicines, and pharmaceutical products.

It is a well-established fact that the majority of American food and drug manufacturers are do-

ing an honest and legitimate business. If the products of these ethical manufacturers can be eliminated from consideration, the efforts of the Administration may be concentrated on that very small proportion who are deliberately, negligently, or unknowingly violating the law in some respect. In order to determine which manufacturers are complying with the law, thoroughgoing factory inspections are made by trained inspectors. The visits of these inspectors are ordinarily welcomed by the manufacturer who is doing a legitimate business. Where admission to an establishment for the purpose of making inspection is refused the information necessary to determine whether infractions of the law are occurring can usually be obtained by the collection of samples on the market and chemical analysis in the laboratories. Through the medium of these factory inspections, as well as by means of chemical analysis when necessary, it is possible to determine what particular food and drug commodities are adulterated or misbranded and what particular types of violations are to be anticipated, and to segregate the comparatively small section of the industry that is doing a questionable business.

With this information available the Administration is able at the beginning of each year to formulate comprehensive plans for the enforcement of the law in a uniform manner throughout the United States. The field agents are fully advised of these plans and work in harmony with them. The plan of operation is made sufficiently flexible so that should an emergency arise—for example, an outbreak of food poisoning—the less important lines of operation may be set aside and efforts concentrated on tracing and removing from the market the product involved.

The Federal Food and Drugs Act provides for the criminal prosecution of the person or concern responsible for violating its provisions and for the seizure of the adulterated or misbranded products. Seizure actions are instituted in four classes of violations: (1) In the case of food products containing added poisonous or other added deleterious ingredients which may be harmful to

health; (2) in the case of food products consisting in whole or in part of filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal unfit for food, or a product of a diseased animal, or one that has died otherwise than by slaughter; (3) in the case of food or drug products so grossly adulterated or misbranded with false or fraudulent claims that their distribution constitutes a serious imposition upon the public; (4) in the case of adulterated and misbranded food products which seriously demoralize legitimate trade practices.

The evidence necessary to prove a producer or shipper guilty in a criminal prosecution is gathered and presented at the trial by the Food and Drug Administration, through the Department of Justice. Sometimes the cooperation of State and city health, food, drug, and feeding-stuffs officials is enlisted.

The essential steps in the development of a criminal case as it progresses through the organization units of the Food and Drug Administration and the Office of the Solicitor and the Secretary of the Department of Agriculture, the Department of Justice, and the courts are:

An inspector collects samples of a product suspected of being in violation of the act, and forwards them to the proper station for analysis. At the station an analysis is made, the results of which are sent by the station chief, with his recommendation as to the proper action to be adopted, to his district chief. If the district chief approves the station's recommendation, he instructs the station to cite the manufacturer or shipper of the product in question to a hearing at the station headquarters, and at the same time submits a statement of the action taken to the Chief in Washington. On the date set, the person cited reports for an oral hearing, or presents in writing his statement as to why the Government should not take further action.

After the hearing, the station chief prepares a summary of the findings, which he forwards to the district chief, together with his recommendation as to the proper action to be taken. The district chief may indorse the recommendation

as it stands or modify it after which he sends all the papers in the case, accompanied by a statement of what he considers appropriate action, to the Chief of the Administration. The Chief or Assistant Chief of the Administration may then decide upon the next step, but as a rule he refers the matter to the laboratory or office in Washington specializing in the product involved. If the specialist agrees with the recommendation of the district chief that prosecution proceedings should be instituted, the case is transmitted to the Chief or Assistant Chief of the Administration, with an indorsement of the recommendation for prosecution.

The case is then considered in the office of the Chief and Assistant Chief, after which, if these officials concur in the recommendation made, it is sent to the Solicitor of the Department of Agriculture to be examined as to its legal aspects. The Solicitor decides who is liable in connection with the alleged violation, and determines whether or not the evidence at hand is sufficient to support prosecution. If he disagrees with the recommendation of the Administration, he returns the papers for further consideration. If, however, he concurs in the Administration's recommendation for prosecution he prepares the necessary papers and refers them to the Secretary of Agriculture. If the Secretary approves prosecution, he transmits the case to the Department of Justice. That Department then sends the case to the district attorney for action in the Federal court.

The district attorney files the information or presents the case to the grand jury for indictment of the producer or shipper, and conducts the necessary legal proceedings. The court hears the case, with or without a jury, renders judgment and imposes a sentence where the verdict is "guilty." Members of the Food and Drug Administration appear as witnesses at such trials. After the termination of the case in court, a notice of judgment, giving the essential facts, is prepared by the Solicitor and published by the Food and Drug Administration. Thus the case is terminated and the records closed.

The essential steps in the development of seizure action are similar to those involved in a criminal prosecution. The manufacturer is not, however, cited to a hearing in advance of seizure. The law wisely omits any requirement for such a hearing as a precedent to seizure; speed of action is essential if the public is to be protected by arresting the offending goods before distribution. The Solicitor, after receiving a seizure recommendation from the Food and Drug Administration, prepares a digest of the case which is referred by the Secretary of Agriculture direct to the United States attorney in the district where the goods are located. The United States attorney draws up a libel, which is merely a legal document describing the goods, alleging they have been shipped in interstate commerce, and reciting the particulars in which they are adulterated or misbranded. The libel is filed with the clerk of the court, whereupon the court issues a warrant of seizure, directing the United States marshal to seize the goods. Usually a food and drug inspector accompanies the marshal and assists in identifying and seizing the goods.

After seizure, a date is set by the court at which time the interested party may file its claim for the goods and admit or deny the charges of adulteration or misbranding. If the charges are denied, a date is set by the court for the trial of the issue as in the case of a criminal prosecution. If no appearance is made by a responsible claimant, the court decides the matter on the evidence before it. If the article is condemned as adulterated or misbranded, either after trial before the court, after default by a claimant, or after admission of the charges by a claimant, the law provides that the court may, in its discretion, order the goods disposed of by any one of three different methods: (1) The court may order destruction of the goods. (2) It may direct the marshal to sell the goods and turn the proceeds, less legal costs, into the United States Treasury. But in such circumstances the marshal must by some appropriate means eliminate the adulteration or misbranding before the sale is made. If the court

elects to follow the third method of disposal, it returns the goods to the owner upon payment of court costs and the execution of a good and sufficient bond to the effect that the goods shall not be sold or otherwise disposed of contrary to the provisions of the Food and Drugs Act or the laws of any State, Territory, or insular possession. Thereafter the seized goods are maintained under the surveillance of the Food and Drug Administration until they have been rendered entirely legal. The costs of such surveillance are usually assessed by court order against the owner of the goods.

Under no circumstances are food or drug products which have been seized and condemned released for redistribution in their adulterated or misbranded condition. It frequently happens, however, in the case of misbranded articles, that relabeling will render them entirely legal and suitable for distribution. In the case of shipments seized because of filth or decomposition or the presence of deleterious ingredients it is usually a fact that only a portion of the shipment is so adulterated. Almost every seizure involves goods packed on different days and distinguished by definite code markings on the containers. Examination of the various codes serves to show whether any particular code is or is not adulterated. In some types of products a surface contamination exists which can be entirely removed by washing. Where it is possible by adequate sorting, washing, or cleaning operations to correct the adulteration and render the product entirely suitable for distribution, the courts ordinarily refuse to destroy or confiscate but instead take advantage of the authority granted by the law itself to release them under bond for so-called "reconditioning" under governmental supervision. The term "reconditioning" does not imply that unfitness is merely concealed by some form of renovating process, the goods being thereafter released for unrestricted distribution. Unfit material is invariably destroyed or denatured in such a way as to make impossible its future distribution for food or drug purposes.

After the termination of the seizure case a notice of judgment giving the essential facts is prepared by the Solicitor and published by the Food and Drug Administration as in the case of criminal prosecutions. Because a notice of judgment detailing a seizure action makes no mention of criminal prosecution against the shipper, it does not follow that criminal action has not or will not be instituted. The two types of action represent separate proceedings although they may be based on the same shipment.

It is impracticable to combine the two actions in one notice of judgment. Judicial procedure requires that they be brought in separate jurisdictions. Seizure occurs where the consignment is found; criminal prosecution in the jurisdiction where the defendant has his place of business. Criminal action is necessarily of slower development because a hearing must be accorded to the responsible party, after which proper pleadings must be drawn up, affidavits of analyst and inspector witnesses secured, and all forwarded, through the Department of Justice, to the United States attorney in whose jurisdiction the shipper has his business. The case must then await its turn on the court calendar. Notices of judgment on seizure actions would be unduly delayed if the outcome of the criminal prosecution involving the same shipment were awaited.

Whenever the facts warrant, seizures are followed by prosecution. The exacting character of the evidence required to establish in a criminal prosecution that an article was adulterated or misbranded when shipped, and that deterioration had not occurred subsequent to the shipment but before sampling at destination, precludes criminal prosecution in many cases where seizure action can be maintained. This accounts in part for the larger number of seizure actions recorded in notices of judgment. Also, it is the practice to consolidate a number of shipments by one firm, each of which may have been the subject of a seizure notice of judgment, into one criminal action in which each violative shipment appears in the pleadings as one or more counts against

the defendant shipper. While this reduces the number of notices of judgment covering criminal prosecutions, it permits a more effective presentation to the court of the continuing character of the illegal practices of the defendant.

Seizure has been compared to the arrest of a murderer's bullet in flight. It prevents the adulterated or misbranded food or drug from reaching and harming the ultimate consumer. It is therefore the most effective procedure for public protection after adulterated or misbranded goods have appeared upon the market.

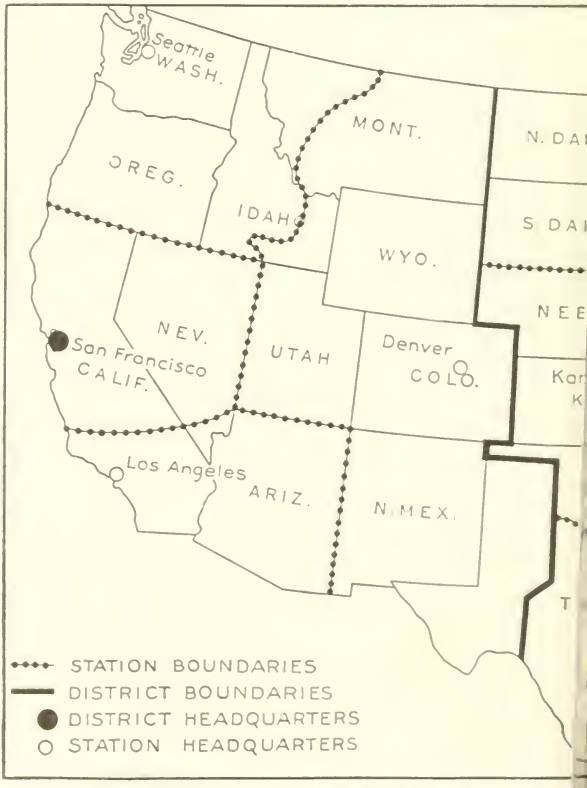
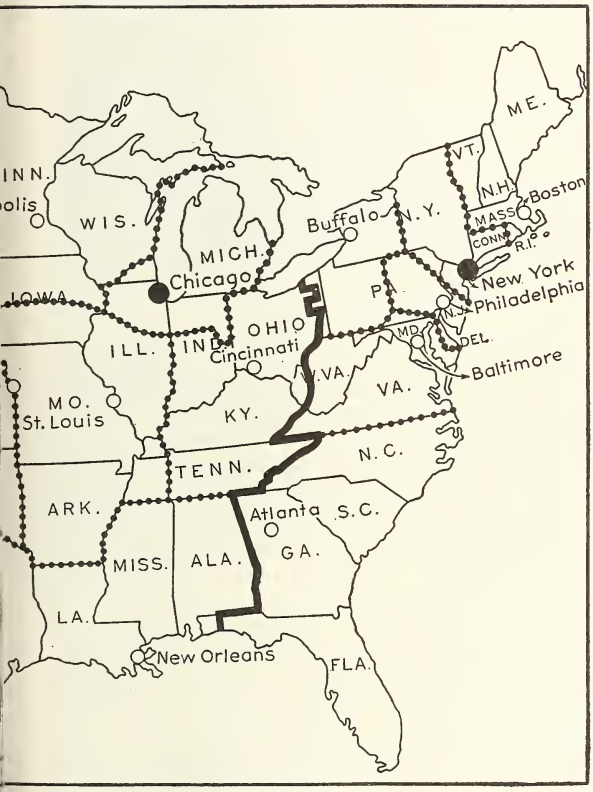


FIGURE 1.—District and station ter

On the theory that an educational effort, designed to acquant manufacturers with the requirements of the law, is contemplated in any effective program for the enforcement of the Federal Food and Drugs Act, notices are frequently issued to the trade announcing enforcement policies applicable to newly developed products or technic of production. These notices may include constructive suggestions as to how legal articles may be produced. Where the facts seem to warrant it, such notices may be preceded by a public hearing at which interested persons are accorded



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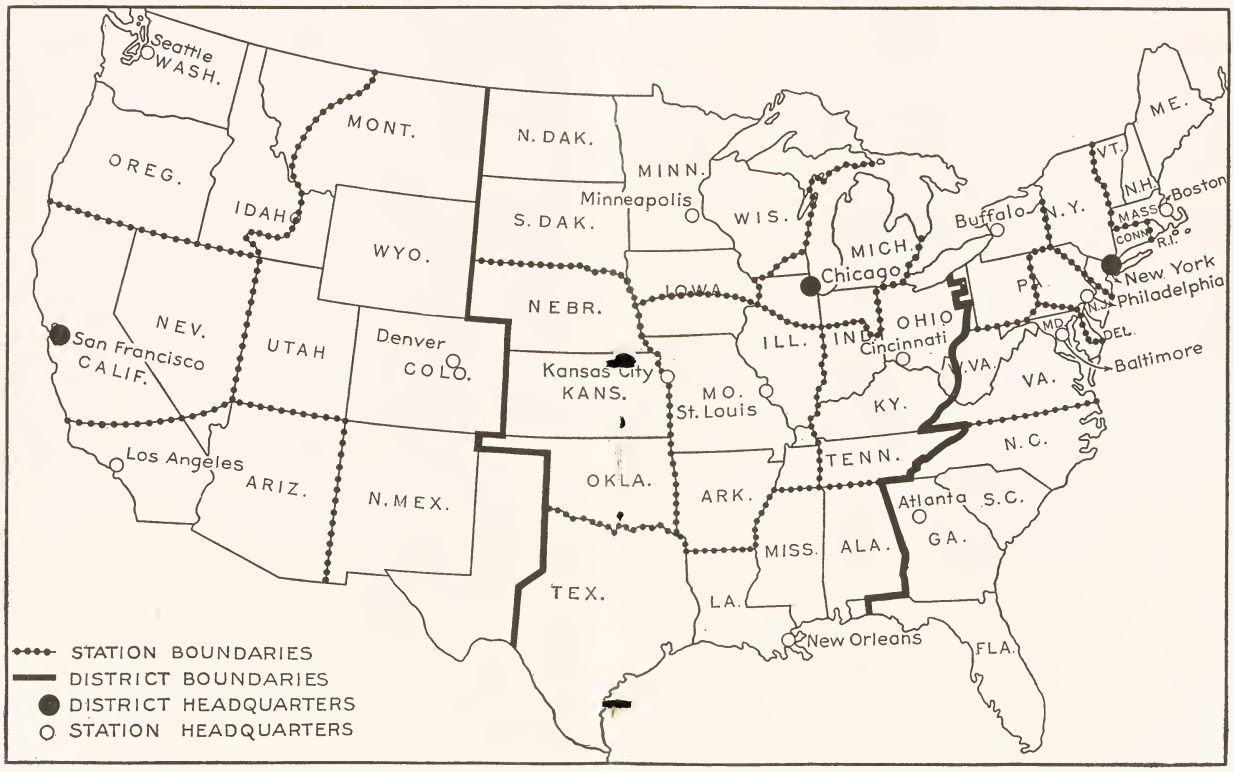

FIGURE 1.—District and station territories of the Food and Drug Administration.

opportunity for free discussion. Disinterested experts are freely consulted to supplement facts derived from investigations in reaching conclusions as to the proper administrative procedure. The officials charged with this regulatory work are always willing also to give advice on how to market a fully legal product to any individual firm honestly seeking such information. This service helps to prevent the commission of offenses under the statute. Furthermore, aside from the advantages it has for the manufacturer in sparing him the expense and unfavorable notoriety of litigation, it assures the public a greater degree of protection than would be afforded if such educational work were not undertaken.

STANDARDS FOR FOOD AND DRUG PRODUCTS

To ascertain accurately when a food or drug is adulterated or misbranded, it is, of course, necessary to have suitable standards for comparison. Before the analyst can pass intelligently upon the samples submitted to him for examination, he must know the true composition of the products they purport to be. Consequently, the scientific staff of the Food and Drug Administration is constantly engaged in investigations of natural products. Based upon the results thus obtained, the Department formulates standards for the guidance of food officials and manufacturers.

To illustrate: When it was found that spices were being grossly adulterated and misbranded and that it was difficult to determine just when a spice passed the border line from a legal to an illegal product, a chemical and microscopical study of all the commonly used spices was undertaken. Using the results of this study as a foundation, fair standards for spices have been determined and published to serve as a basis for action in the enforcement of the law. These standards, as well as those for many other types of food products, are printed in Service and Regulatory Announcements, Food and Drug No. 2.

As a supplement to this type of investigational work, studies are constantly being made to dis-

cover more efficient methods of analysis to be used in examining samples of foods and drugs and also to determine how commercial methods of preparation of products subject to the Food and Drugs Act may be improved to the end that possible adulteration may be obviated (fig. 2).

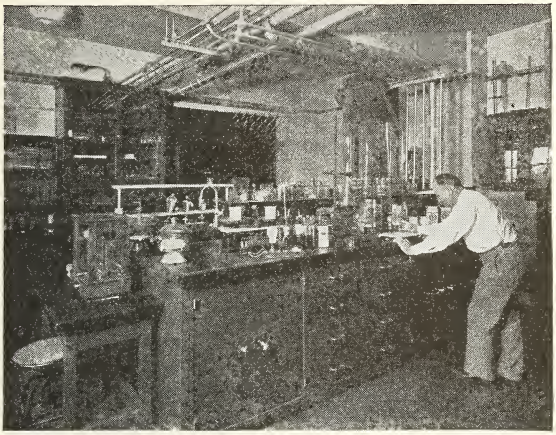

FIGURE 2.—One of the laboratories of the Food and Drug Administration.

An amendment to the act, passed in 1930, gives the Secretary of Agriculture the authority to set up a legal standard of quality for each class of canned food and to prescribe clearly informative labeling on each product not meeting its quality standard. A similar provision is made for fill of container standards. Canned meat products and canned milk are excepted by the provisions of the amendment.

SEA FOOD INSPECTION SERVICE

The sea food amendment to the act, passed in 1934 and further amended in 1935, authorizes the Secretary of Agriculture at his discretion to grant the request of any packer of sea food for the services of inspectors to examine and inspect all premises, equipment, methods, materials, containers, and labels used by the packer in the production of sea food. Sea foods packed under such supervision and found to conform to the

requirements of the act shall be marked so as to indicate such conformity. Applicants granted inspection under this amendment are required to operate in accordance with regulations promulgated by the Secretary. This inspection is entirely voluntary on the part of the packer. Advantage has been taken of the supervision provided for in the amendment by the shrimp-packing industry and most of the shrimp now canned is packed under Government inspection. The labels for inspected shrimp must bear the legend "Production Supervised by the U. S. Food and Drug Administration."

COLOR CERTIFICATION

As ordinarily manufactured for textile or other industrial purposes, dyes often contain impurities, some of which are toxic. It is important that only harmless dyes be employed in the preparation of foodstuffs. To safeguard consumers against the presence in food of a harmful dye, the Food and Drug Administration has prepared a list of coal-tar colors known to be harmless when properly prepared and has adopted a scheme for examining batches of coal-tar colors and issuing certificates for those found harmless. By the proper use of only those coal-tar dyes that have been certified, food manufacturers may avoid all risk of putting out products made harmful by the coloring materials employed.

INSECTICIDE ACT

The Insecticide Act makes illegal the transportation in interstate commerce, the importation and exportation of adulterated or misbranded insecticides and fungicides. It contains definite standards to which all lead arsenate pastes and paris greens must conform, and provides that all insecticides, other than those, and all fungicides that contain inert ingredients shall bear, upon the label of every package, a plain and correct statement giving the name and percentage amount of each inert ingredient of the preparation, with a statement that such ingredient is inert, or, instead, a statement giving the name

and percentage amount of each active ingredient and the total percentage of the inert ingredients. The labels for insecticides, other than lead arsenate and paris green, and for fungicides that contain arsenic or compounds of arsenic, must show the total percentage of arsenic present. Any false or misleading claim as to the efficacy of an insecticide or fungicide constitutes a violation of the law. The act demands further that all insecticides and fungicides must be up to the standards under which they are sold and that no insecticide or fungicide shall contain any substance or substances that will injure the plant on which it is to be used.

Chemical analysis alone is not in many cases sufficient to determine whether or not insecticides and fungicides can be depended upon to produce the results claimed by their manufacturers and actual tests must be made by applying each new preparation according to directions to the pest it is claimed to eradicate. The Administration therefore maintains testing farms in various parts of the country, where the efficacy of insecticides and fungicides can be tested against insects and fungi in their natural environment (fig. 3).

The largest of the insecticide-testing farms is at the Government farm at Beltsville, Md. This station, in addition to the general offices, entomological laboratories, and library, contains a fumigating room for the testing of insecticide fumigants, test closets for clothes moth preparations, house fly testing equipment, and a constant-temperature room in which are bred sundry species of clothes moths, carpet beetles, flies, and insects that infest foods and grains in storage. For testing the various orchard insecticides, sprays, and dusts found on the market, about 7 acres are planted in representative varieties of orchard fruits and berries. Deciduous and evergreen trees and shrubs, commonly hosts to our native insects, are also available on the grounds for testing purposes. Vegetable gardens are planted and the greenhouses are stocked with plants that furnish common insect pests used for conducting tests. Dogs, cats, and chickens are

kept to supply fleas, lice, and mites. Roaches are bred in screened wire cages in a greenhouse.

Insecticides sold for the control of insects infesting sheep, horses, cattle, and swine are tested by veterinarians of the Bureau of Animal Industry at the Beltsville farm.

Most of the practical tests on fungicides designed for use against the fungous diseases peculiar to the East are made at stations maintained at Haddon Heights, N. J., and Sodus, N. Y. Fungicides sold to control plant diseases in the

FIGURE 3.—Studying the effect of commercial preparations on insects and vegetation.

West are tested at Corvallis, Oreg. A careful study of all these preparations is made to determine both their efficacy and any injurious effects they may have on the host plants.

Based on the results of practical tests, action under the Insecticide Act is instituted against those products that have been shown to be incapable of fulfilling the claims made for them or to be injurious to the plants on which they are to be used.

Disinfectants, germicides, and preparations designed to kill or repel household insects come within the scope of the act. The effect of this branch of law enforcement by the Food and Drug Administration is felt on farms, on cattle ranges,

and in orchards, as well as in homes, schools, and hospitals. It is felt wherever man is engaged in his ceaseless struggle for control over plant diseases and the armies of insects and bacteria that yearly exact heavy tolls in life and property.

Caustic Poison Act

The Caustic Poison Act requires that each of certain caustic and corrosive substances, or preparations containing them, sold in containers suitable for household use, shall bear a conspicuous, easily legible label or sticker containing (1) the common name of the substance; (2) the name and place of business of the manufacturer, packer, seller, or distributor; (3) the word "Poison", in a specified type, plainly and conspicuously displayed; and (4) directions for treatment in case of accidental personal injury from the contents of the package.

The act applies to the substances named in the act or preparations containing them when they are shipped or delivered for shipment in interstate or foreign commerce, or have been received from shipment in such commerce for sale or exchange in any Territory or possession, or in the District of Columbia.

Naval Stores Act

The Naval Stores Act is a two-purpose act, having a service, as well as a regulatory, clause. It requires that all rosin and turpentine in interstate or foreign commerce shall be sold under the standards given in the act and provides that the word "turpentine" and the word "rosin" shall not be applied to anything other than naval stores of the United States standards. As a basis for enforcing these provisions, the act defines and establishes classes and grades for the several kinds of turpentine and rosin, makes the rosin types prepared by the Department of Agriculture the United States official standards for rosin, and authorizes the Secretary of Agriculture to establish and promulgate new standards and to modify existing standards whenever the interests of the trade require that this be done.

The service clause of the Naval Stores Act authorizes the Secretary of Agriculture, upon the request of interested persons, to examine and grade naval stores and to issue a certificate showing the analysis, classification, or grade, which certificate shall be prima facie evidence in any court. For this service the Secretary is authorized to make a charge covering the actual cost.

ENFORCEMENT OF LAWS RELATING TO IMPORTED PRODUCTS

The sections of the Food and Drugs Act and the Insecticide Act that relate to products offered for importation into this country do not involve court action. The officials of the Division of Customs of the Treasury Department cooperate in this phase of the Administration's regulatory work.

All foreign merchants are required to certify to certain facts concerning the products subject to the Food and Drugs and Insecticide Acts that they desire to ship, before the proper United States consular officials abroad. The certificates are attached to the invoices of the various products, and the Administration officials scrutinize all invoices of shipments coming to this country. If an examination of the invoices and their accompanying certificates indicates that an article may not comply with the terms of the law, samples are taken for analysis, the entire shipment being held until the results of the examination are known. When goods are found to be in violation of the act, the importer is so informed, and an opportunity is given him to present to the Government evidence as to why his product should not be denied entry. If the results of the hearing fail to show that the goods are in compliance with the law, a report is submitted to the collector of customs at the port of entry, who then refuses to admit the product in question into the United States. If the importer is not satisfied with the action taken by the Administration, he may appeal to the Secretary of Agriculture.

Tea Act

The Tea Act forbids the entry into the United States of any tea that fails to meet the standards of quality, purity, and fitness for consumption set by the Government.

When the first Federal Tea Act was passed, in 1883, 24 years before the Food and Drugs Act went into effect, the United States was rapidly becoming a dumping ground for the world's worst tea. The enforcement of this act has brought about a marked change in the character of the tea reaching American shores. Tea exporters are familiar with the requirements of the United States and take care to send over only teas that meet these requirements. Nowadays very little tea is denied entry into the United States because of failure to comply with the standards.

Under the provisions of the Tea Act, a board of tea experts, appointed each year by the Secretary of Agriculture, fixes uniform standards of quality, purity, and fitness for consumption for teas to be imported into the United States. Samples of these standards are sold at cost to importers, who send them to their agents in the Far East, and similar samples are placed in the hands of the tea examiners at the various ports of entry. Samples from each line of tea offered for entry into the United States are examined. Those that do not conform to the standards are refused entry by the customs officials.

Under the law an importer may appeal to the Board of Tea Appeals a case on which he feels the decision has been unfair. There is no appeal from the decision of this board, made up of three members of the United States Department of Agriculture. The importer of any tea that is rejected by the Administration is given 30 days in which to appeal his case to the Board of Tea Appeals. He is allowed 6 months in which to remove his rejected tea from the country. If not outside the limits of the United States by that time, the shipment must be destroyed.

Tea waste, tea siftings, tea sweepings, and low-grade tea may be brought into the United States if they are to be used solely for technical or manufacturing purposes. The importer of such products, however, must give bond to the collector of customs that their identity will be destroyed during the process of manufacture.

Import Milk Act

Under the Import Milk Act the Secretary of Agriculture issues to applicants permits for the importation into the United States of milk and cream after it has been shown that the cows producing the milk are healthy and have been subjected to an annual physical examination, including a tuberculin test, and that the farm from which the milk comes and the plant in which it has been handled score at least 50 on the score card drawn up by the Federal Bureau of Dairy Industry.

The Administration's bacteriologists and inspectors also test the milk or cream as it comes over the border, to make sure that it meets the standards for bacterial count set by the act and that its temperature has been properly controlled.

COOPERATION WITH STATES AND CITIES

The Food and Drug Administration maintains close cooperation with State and municipal officials who enforce laws regulating, within their respective jurisdictions, the manufacture and sale of foods, feeding stuffs, drugs, insecticides, fungicides, and caustic poisons. The Federal officials have jurisdiction over only such of these commodities as enter interstate or foreign commerce or are made, sold, or offered for sale in the District of Columbia or the Territories of the United States. They have no jurisdiction over those articles which are produced and sold within the confines of a single State. Most of the States, however, have laws covering some or all of these products similar in many respects to the Federal acts, and designed to afford the same protection to the several States that the Federal acts do to the Nation at large.

The Division of Cooperation is designed to promote effective cooperation and seeks to afford a ready means for the interchange of information among all concerned and to render cooperative officials all possible assistance of a technical or administrative character. In an endeavor to keep in close touch with State and city officials, it has established very definite cooperative relationships with over a hundred departments throughout the United States and in the Dominion of Canada, Puerto Rico, and Hawaii. Through these contacts the Administration continually receives advice as to adulteration and misbranding, and, through the prompt assistance offered by State and city officials in the collection of official samples and otherwise, it is able more effectively to check adulteration and misbranding than would be possible by acting solely through its own personnel.

COLLABORATION WITH OTHER DEPARTMENTS

The Post Office Department calls upon the Food and Drug Administration to assist in enforcing the fraud order law in its application to drugs, medicines, and some other products, by making chemical analyses and furnishing expert medical testimony. The action of the Post Office Department in denying the mails to such of these products as are sold under fraudulent claims is based upon the reports of the chemists and medical officers of the Administration. Analyses for the Post Office Department are also made of many products to determine whether or not they contain poison or are of such nature as to injure mail or the employees handling it. The Federal Trade Commission also frequently calls upon the Administration for analyses of or opinion upon food and drug samples representative of the commodities under consideration by the Commission.

Many samples of foodstuffs, disinfectants, and medicines for the Army, the Navy, the Veterans' Administration, the General Supply Committee, and other governmental agencies are examined to

make sure that those accepted comply with contract specifications and are otherwise suitable for the purposes for which they are purchased by the Government.

PUBLICATIONS

Reports of the results of court cases tried under the Food and Drugs Act and the Insecticide Act are published from time to time in the form of notices of judgment. Similar provision for publication of the results of cases under the Naval Stores and Caustic Poison Acts has been made in the regulations. Mailing lists are maintained of the names and addresses of those who desire to obtain the notices of judgment as issued under any of these acts. The texts of each of the six acts, together with the regulations adopted for their enforcement, are published separately in pamphlet form under the following designations: Food and Drugs Act, S. R. A., F. D. No. 1; Insecticide Act, S. R. A., I. F. No. 1; Import Milk Act, S. R. A., I. M. No. 1; Caustic Poison Act, S. R. A., C. P. No. 1; Tea Act, S. R. A., T. No. 1; Naval Stores Act, S. R. A., N. S. No. 1. A circular, designated S. R. A., F. D. No. 2, gives definitions and standards for certain food products. The procedure for obtaining certificates for coal-tar food dyes is set forth in S. R. A., F. D. No. 3. Standards for canned foods are specified in S. R. A., F. D. No. 4. Other publications are issued from time to time. Copies of any of the publications may be obtained upon application to the Food and Drug Administration, United States Department of Agriculture, Washington, D. C.